

**STATEMENT OF APPLICANT**  
**1900 Chapman Project Owner, LLC**  
**For 1900 Chapman Avenue**  
**STP2012-00112**  
**December 22, 2011**  
**UPDATED JUNE 4, 2012**

**SITE PLAN REQUEST:**

The Applicant, 1900 Chapman Project Owner, LLC, requests approval of a Site Plan for a mixed use development containing approximately 5152 sf of street level commercial, **658** multi-family residential dwelling units, project amenities, and structured parking on approximately 5.29 acres in the MXTD – Mixed Use Transit District zone as a redevelopment of the existing 70,000+ gsf retail store site at 1900 Chapman Avenue.

The Site Plan Application proposes:

Use	Description	Dwelling Units	Square Footage
<b>PROPOSED:</b>		<b>658 du total</b>	
Residential	<b>North Building Phase 1</b>		
Conventional	Multifamily	<b>319 du</b>	
	<b>South Building Phase II</b>		
Conventional	Multifamily	<b>339 du</b>	
Commercial	<b>North Building Phase 1</b>		
	Commercial		5,152 gsf
	<b>South Building Phase II</b>		
	Commercial		0
Cumulative Total		<b>658 du</b>	5,152 gsf

**PROPERTY:**

The Property is approximately 5.29367 gross acres (230,592.26 SF) known as Lot 14, Block 5, Halpine Subdivision per Plat 24213 with address of 1900 Chapman Avenue. See Plat 24213 attached as **Attachment No. 1 (submitted December 2011).**

The site is the existing Syms retail store bounded by Thompson Avenue (north), the CSX/WMATA railroad right-of-way (east), Montgomery County land improved by Twinbrook Parkway (south), and Chapman Avenue (west). Existing ground level elevation is highest along Chapman Avenue with a gentle slope downward 8 to 12 feet to the east property line at the railroad tracks. On the Montgomery County fee simple owned parcel to the south, Twinbrook Parkway rises to cross the railroad tracks.

Existing improvements were constructed in the late 1990's and include a two story retail store of approximately 70,000 square feet on two identical levels (approximately 35,000 square feet per level) plus approximately 368 paved surface parking spaces. Approximately 80% of the site area is comprised of building or paved parking.

The Property is zoned MXTD – Mixed Use Transit District and is bounded by the MXTD zone to the west and north, the MXCD zone to the south, and the PD-TC zone in part to the north as well as in part to the east. East across the WMATA railroad right-of-way is land in the Montgomery County TMX-2 zone. All land adjoining and confronting the site is improved with commercial buildings and non-residential facilities. The closest planned building in the PD-TC zone is a proposed parking garage north of Thompson Avenue. The closest single family detached house in a residential zone is approximately ¼ mile away across the WMATA – CSX tracks at the corner of Halpine Road and Lewis Avenue but is so located on the far side of the Twinbrook Station project so it is not in sight or sound of the Property.

The Property is located approximately 450 feet south of the west entrance to the Twinbrook Metro Station. The Property has approximately 520 feet of frontage on Chapman Avenue, and approximately 360 feet of frontage on Thompson Avenue. Thompson Avenue, a public street, dead ends at the CSX/WMATA right-of-way without a turnaround. An easement through the existing parking lot for the benefit of the Mayor and Council provides a return route for vehicles from the eastern dead end of Thompson Avenue to Chapman Avenue. The Applicant proposes to record a substitute easement which will establish a similar route for vehicles on a private alleyway between the proposed apartment buildings.

## **RELATED ACTIONS:**

Final Record Plat PLT2011-00511, a corrective plat for one lot recorded May 4, 2011 as Plat No. 24213, correcting Plat No. 20377, per approval by the Planning Commission on April 27, 2011.

Use Permit USE96-00566, a commercial development containing an approximately 70,000 gsf retail building, approved by the Planning Commission on September 18, 1996. The Use Permit was implemented and the retail use continues to present.

Final Record Plat PLT96-00065, creating one lot, approved by the Planning Commission on October 23, 1996. Plat 20377 recorded March 27, 1997.

Use Permit U-436-89, a mixed use development containing 320,800 square feet of office space, 335 multi-family apartments, and 44,200 square feet of retail was approved by the Planning Commission on December 13, 1989. The use permit approval expired.

SCP97-00003, FTPO No. 95-7 with associated Storm Water Management Easement Storm Water Management Inspection and Maintenance Agreement dated March 21, 1997

and recorded in Liber 14769 at folio 059 pertaining to Parts One, Two and Three easement areas, and Tree Conservation Easement and Declaration of Covenants dated March 3, 1997 and recorded in Liber 14769 at folio 0065.

FTP2011-00025. NRI FSD for existing conditions in anticipation of this Site Plan Application for 1900 Chapman Avenue redevelopment.

## **APPLICATION:**

### **Project Description:**

The Applicant proposes the redevelopment of 1900 Chapman Avenue (the “Project”) in order to dramatically improve a critical and visible gateway parcel in the Chapman Avenue area of the Twinbrook Metro Performance District. The Project will create a mixed use district in an existing single use commercial district by introducing a strong residential component. The Applicant proposes to begin the transformation of a commercial “backstreet” (Chapman Avenue) dominated by commercial buildings and their loading docks and industrial service uses into an active mixed use business district by populating the commercial neighborhood with residents from two residential buildings. The proposal includes street level commercial space, active storefront amenity spaces, signature public use spaces, and a new bike path that will forge a dramatic improvement to Chapman Avenue. The Project creates a neighborhood oasis on the pedestrian route to the Twinbrook Metro Station entrance and is within walking distance to the goods and services offered in the Rockville Pike Corridor as well as jobs and services in the Twinbrook-Parklawn employment district. The Project is a 3 minute walk to the Twinbrook Metro Station WMATA Redline and within convenient walking distance to the HHS headquarters at the Parklawn Building and future NIAID headquarters on Fishers Lane.

The Applicant proposes to redevelop 5.29 acres of asphalt parking lot and a single use retail building into a mixed use development which will introduce active residential and commercial service uses to the Chapman Avenue corridor. The Project includes two new 6-story buildings with **658** multi-family residential units, approximately 5,152 gsf street-level commercial, street level residential amenity spaces, public realm enhancements with improved sidewalks, streetscapes, walkways and bike paths along Chapman Avenue and Thompson Avenue, between the proposed apartment buildings as well as encircling the entire Property. Parking for the Project will be entirely on-site within enclosed and below-grade parking structures with some on-grade parking on the private alleyway. See Site Plan and Architectural Plans attached as **Attachment No. 2 (see updated plans).**

A signature public use space utilizing innovative architecture as a backdrop at the main Project entrance on Chapman Avenue creates an urban oasis with inviting landscaping, public art, bike storage, and community plaza spaces. Multiple on-site open spaces for residents are proposed including four elevated interior courtyards with varying active and passive common area and recreational amenity spaces. Residents and the public will enjoy grade-level landscaped green areas surrounding the Project with paths and sidewalks for walking, exercise, and enjoyment of the outdoors by residents, their

families, and pets. See Landscape Plan attached as **Attachment No. 3 (see updated plans)**.

The private on-site access driveway from Thompson Avenue to the two parking garages and loading areas through to Chapman Avenue has been designed for both functional circulation as well as on-site afforestation and storm water bio-retention areas. More importantly, the alleyway serves as a carefully designed, publicly accessible streetscape lined with storefronts, residence access stoops and street trees. The ground level residential units of both buildings feature direct street-level access onto the alley way creating the look and feel an urban neighborhood streetscape. The private alley way between the two buildings is lined with residential entrances opening onto a treed, European-style linear open space via stoops that invite neighbors to stop, sit, and visit. The alley way is part of a complete circulation system that winds through the Project and encourages residents to interact with the general public by also circulating through the signature public use space at the main Project entrance on Chapman Avenue.

The private alley way is an imaginative replacement for the existing vehicle turn-around easement from the eastern end of Thompson Avenue to Chapman Avenue. The private alleyway provides functional internal circulation for vehicles and fire trucks for the site. More importantly, the private alleyway will provide a special sense of place for residents as well as the larger community, much like a Brooklyn, NY or Dupont Circle neighborhood. The Project is designed so that the segment of the alleyway separating the two apartment houses can be temporarily closed to vehicles and function as a *Paseo*, which is a thoroughfare reserved for pedestrians. Reserving the *Paseo* for pedestrians for a weekend event, such as a market or book fair, would create a contiguous T-shaped pedestrian plaza along Chapman Avenue extending nearly the length of a football field to the east. Temporary closures for special events would be provided for in the replacement public access easement.

**The private alley way has been designed to the standards of, and can be classified as, a “service drive” under the City Road Code standards.**

The proposed commercial services and professional office space in the Project is located in the North Building at the intersection of Chapman and Thompson Avenues on the corner closest to the Twinbrook Metro station entrance. This location, closest to the Metro entrance, will provide the greatest visibility in order that the commercial space, and the businesses within, have the greatest opportunity for success. The remainder of the street level space along the Chapman Avenue frontage in both the North and South Buildings is utilized for residential amenities of the Project visible behind a commercial storefront. The location and configuration of the ground level street frontage is designed and constructed with high retail-ready ceiling heights in anticipation (and hope) that at some future time the market will support conversion of this space to retail. Conversion to retail in the future would require compliance with the City ordinances in effect at that time and a site plan amendment. The street level residential amenity space could include, by way of illustration, the project management office, the resident business services office, health and fitness center uses, and other similar resident amenity spaces appropriate for storefront space.

The North Building (**also labeled Building 1 on the plans**) is proposed for **319** multifamily dwelling units, 5,152 gsf commercial space, parking facilities, private alleyway for internal circulation, and associated residential amenity space. Residential units range in size from studios to 3 bedroom units.

The South Building (**also labeled Building 2 on the plans**) is proposed for **339** multifamily dwelling units, parking, and associated residential amenity space. Residential units range in size from studios to 3 bedroom units.

### **Moderately Priced Dwelling Units:**

The Project will comply with the City's MPDU Ordinance and provide 15% of the total units as MPDU units.

### **Parking and Loading:**

Parking is provided primarily in structured parking facilities within and under the buildings screened from the public roads by the street level storefronts and the residential units. Utilizing the natural slope of the site, access to the different garage levels are from multiple points on the private alley way. Limited on-site parking (**twelve parking spaces and 2 drop-off spaces**) is also proposed on the private alleyway. A parking entrance is provided from Thompson Avenue for commercial patrons in convenient proximity to the commercial space.

**Parking Adjustment. This Application provides code required parking for its uses on-site.**

**Loading.** Loading is provided in each building.

**Bicycle.** Long term secure bicycle rooms for residential uses and short term bike racks are proposed on the plans for both buildings. Sixty-seven (67) long term bike spaces are provided in the North Building and seventy-two (72) in the South Building. **Eight (8)** short term bike spaces on racks are provided near the North Building and seven (7) near the South Building.

The 139 long-term bicycle spaces are provided in accordance with Section 25.16.09.c.2.b.vi.F taking into consideration that residents' bicycles will be permitted to be stored in dwelling units as provided under that Section.

**Phasing.** The Applicant proposes to commence construction of the two buildings at different times subject to market conditions. Phase I will be the North Building and will include a small **twenty-seven (27)** space surface parking lot to be constructed on the Phase II site to facilitate construction and leasing of Phase I. The surface lot will be removed in order to construct Phase II. See Phase I Plan attached as **Attachment No. 4.**

### **Trash and Recycling:**

All trash and recycling will be collected in enclosed trash/recycling rooms located entirely within the parking garages of each of the proposed buildings per 25.13.06.c.

These areas are covered and secured and will not be directly visible from exterior streets or adjacent residential properties.

**Trisorters will be placed on each floor of the two buildings and be located near the rear elevator bank. This will allow residents to take their trash and recyclables out at their convenience as they leave the building and without having to travel down to the garage area. The use of trisorters will promote recycling by making it convenient for residents to dispose of recyclables.**

**On the morning of trash and recycling collection, the recyclables and trash collection bins (dumpsters) will be moved by operations staff to the front of the loading areas located at the rear of the building, where the private trash and recyclable hauling trucks will collect the materials. This will prevent the trash trucks from having to turn around or back out of the loading bays. After collection, the bins (dumpsters) will promptly be returned to their normal location by the trisorters inside of the building by operations staff.**

**Commercial trash and recyclables will be disposed of in the loading area on Thompson Avenue located towards the front of the North Building. On the morning of trash and recycling collection the recyclables and trash collection bins will be moved by building operations staff to the front of the loading areas, where the private trash and recyclable hauling trucks will collect the materials. This will prevent the trash trucks from having to turn around or back out of the loading bay. After collection, the bins (dumpsters) will promptly be returned to their normal location inside of the building by operations staff.**

### **Public Use Space:**

The Project provides a signature public use space featured at the main entrance to the North Building along Chapman Avenue, enhanced sidewalks and streetscapes along the Chapman Avenue and Thompson Avenue frontages, and a pedestrian trail around the perimeter of the Project. The Project provides the required 10% public use space.

The *Paseo* is the signature public use space on Chapman Avenue comprised of a widened streetscape and sidewalk on Chapman Avenue connecting into the private but publicly accessible plaza space between the two apartment houses. Accessible by both residents and the public, the *Paseo* is a landscaped pocket park created by a carve-out of the corner of the North Building and opening up the vista down the landscaped alley way between the buildings. The public use space is activated by the backdrop of a dramatic, six-story glass wall of the North Building behind which is visible the interior bridges connecting the corridors of the apartment house.

It is anticipated that the public art will be located either along the perimeter pedestrian path at the end of the *Paseo* and drive between the apartment buildings and/or in the *Paseo*.

### **Open Area and Amenities:**

The Project provides the required 15 % open space in a mix of landscaped areas, courtyards, recreational facilities, and pedestrian paths. A linear green open space spanning the eastern and southern property perimeter, invites residents and guests to stroll and enjoy the outdoors or take a run on the walking trails that connect with the sidewalks along Chapman Avenue and Thompson Avenue and the landscaped sidewalks between the building for a complete circuit around and through the Project. Special amenity stations along the walking trail provide space for exercise, relaxation, and play for residents, guests, families, and pets.

Both the North and South Buildings will have a complement of resident amenities. Multiple outdoor active and passive recreational spaces include four interior courtyards, swimming facilities, outdoor party space, quiet contemplative gardens, and communal plazas. Interior amenities space is provided for residents include a fitness center, lounges, and conference and party facilities.

### **Accessibility:**

Both residential buildings provide elevator access to units not served by ground level access.

### **Conformance with the Zoning Ordinance Development Standards of MXTD Zone:**

The Project conforms to the development standards of the MXTD zoning classification:

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Provided</u>
Minimum Lot Size	none	5.29 gross acres (230,583 gsf)
Minimum Lot Width	10 feet	520 +/- feet
Minimum Open Space	15% (*inclusive)	19.7% (45,520 gsf)
*Minimum Public Use Space	10%	10% (24,227 gsf)
Maximum Building Height	120 feet (75 feet at building line)	
North Building	120 feet	75 feet
South Building	120 feet	75 feet
Minimum Setback Requirements		
Chapman Avenue	none	10 feet

Thompson Road

none

10 feet

Parking **790** total spaces (**778 structured + 12 surface drive**)

North Building **391** spaces (**386 structured + 5 surface drive**)

South Building **399** spaces (**392 structured + 7 surface drive**)

### **Building Height at Building Line.**

The 1989 Rockville Pike Corridor Neighborhood Plan includes functional plans and sections for critical parcels in the Twinbrook Metro Area. The Property is identified as Parcel K and the Plan recommends up to 75 feet at the building line before setting back the building for any additional height along a layback slope. A copy of the function plan and section for the Property is attached as **Attachment No. 5** (page 132 of the Rockville Pike Corridor Neighborhood Plan) (**submitted December 2011**).

The MXTD zone permits heights above 65 feet at the building line if recommended in a master plan.

The proposed building height at the building line is 75 feet for the North Building and 75 feet for the South Building. This is in conformance with the current adopted Plan.

### **Layback Slope**

The Layback Slope provided in Section 25.13.05.b.2.d is not applicable to the Property which does not abut any residentially classified land upon which a single family residence or townhouse is constructed. The Property is adjacent to the Metro and CSX railroad right-of-way which is an exemption from the layback slope under 25.13.05.d.(iv). The closest single family house is over ¼ mile away on the opposite side of the WMATA-CSX tracks near the corner of Halpine Road and Lewis Avenue. The closest residential townhouse is in the Cambridge Walk community over 1200 feet from the Property. The Twinbrook Station PD-TC development is located between the Property and any single family house or townhouse.

### **Shadow Study**

No shadow study is required as the Property is surrounded by commercial uses and mixed use zoned land not planned for residential uses. **A shadow study of the public use space was prepared and submitted to the City.**

### **Conformance with Applicable Master Plans:**

The applicable master plans for the subject property are 1) the **Comprehensive Master Plan Approved and Adopted November 12, 2002**, and 2) the **Rockville Pike Corridor Neighborhood Plan adopted April 1989** which includes the Twinbrook



Urban Design Guidelines for the Twinbrook Metro Performance District (“RPC Plan”). The update to the Rockville Pike Corridor Neighborhood Plan is under consideration by the Planning Commission but not yet approved and adopted by the Mayor and Council. The Project incorporates the spirit of many of the new urban design concepts being discussed in the updated Rockville Pike Plan.

The Comprehensive Master Plan recommendations for the Rockville Pike Corridor within the Metro Performance District include: 1) *support mixed-use development with a strong residential component*, 2) *improve pedestrian and bicycle circulation routes*, and 3) *encourage redevelopment to improve the image of the Rockville Pike*. The Project is a mixed use development, adds a strong residential component to an existing commercial district, improves pedestrian and bicycle circulation with improvements to Chapman Avenue, and redevelops a large parking lot and single retail use into a modern urban neighborhood.

The Project supports the Comprehensive Master Plan Housing Policies as stated in Chapter Ten to encourage *construction of housing close to the Metro Station*; encourage multi-family housing in mixed use areas of development; promote policies that encourage *affordable and accessible housing*; and *maintain a mix of ownership and rental opportunities in the City*. The Project will include 15% MPDUs and a range of units sizes from studios to 3-bedroom units in a rental building a block from the Twinbrook Metro station.

The Rockville Pike Corridor Neighborhood Plan includes the Twinbrook Urban Design Guidelines. The Project meets these Guidelines which encourage *orienting retail and services to the street and creating interest at the pedestrian level with landscaped setbacks, public amenities, awnings, plazas, and other devices*. The Project also meets the Guidelines that recommend a continuous build-to line with at least 50% of the lower floors of building at the build-to line to create a consistent street edge and provide a positive visual image to pedestrians and motorists.

The Project also supports the goal of the RPC Plan in the Metro Performance District to *encourage residential development where possible*; create an *integrated public pedestrian pathway system to link the Metro station with residential and mixed use developments*; and establish a *secondary vehicular circulation system to improve access on Rockville Pike*. The Project improves Chapman Avenue with an enhanced sidewalk and streetscape, a bike path, and creates an improved business district road to serve as a secondary vehicular circulation alternative to Rockville Pike.

With regard to specific RPC Plan recommendations for the Metro Performance District, the Project meets the recommendations to *promote effective use of Metro through land use*, *promote improved pedestrian circulation*, *develop open spaces to serve the needs of workers, shoppers and residents*, *increase residential development within a range of housing types and income*, and *encourage good building design to contribute to a coordinated urban environment*.

The RPC Plan includes a Functional Plan for the Property which is identified as Parcel K in the Twinbrook Metro Area (p132). The Functional Plan for Parcel K

recommends up to 75 feet at the build-to-line along Chapman Avenue before recommending a layback plane for additional heights to 110 feet. See **Attachment No. 6 (submitted December 2011)**. The Project maintains a building envelope at the build-to line to a height of 72-74 feet along Chapman Avenue. The Project exceeds the minimum 50% continuous street edge recommended in the RPC Plan while breaking up the building massing with access ways into the interior of the site which extends the pedestrian circulation in the area.

The pending amendment to the RPC Plan, *Rockville's Pike*, includes a form code which is being considered and under revision by the Planning Commission before it is forwarded to the Mayor and Council in 2012 for further consideration and adoption. Under the Regulating Plan proposed in the pending *Rockville's Pike Plan*, the Property is located in the Urban Core Street Frontage area of the South Pike. Although the pending *Rockville's Pike Plan* is not yet adopted and is a changing document as it moves through the public process, the Applicant has been monitoring the public comment and working towards meeting the spirit of the urban core design principles that have been discussed to date.

### **Sidewalks/Streets:**

The street and sidewalk cross-sections proposed for Chapman Avenue are in accord with the street cross-sections and dimensions approved as part of the Twinbrook Commons Preliminary Development Plan and Detailed Site Plans and as proposed in the pending update to the Rockville Pike Plan.

The Chapman Avenue street section includes a drive lane in each direction, a bike lane, and on-street parking along the frontage of the commercial street level space from the *Paseo* alleyway to Thompson Avenue.

### **Transportation:**

A CTR Transportation Report prepared by Street Traffic Studies, Ltd. dated November 21, 2011 has been submitted with the Application and evaluates site entrances and 8 intersections – 355 at Congressional, 355 at Halpine, 355 at Twinbrook/Rollins, 355 at Bou, Chapman at Twinbrook, Chapman at Bou, Chapman at Thompson, and Twinbrook at Parklawn. The STS CTR Report is based on 720 dwelling units which is higher than the final dwelling unit count of 667 dwelling units in the Application.

The STS CTR Report concludes that after trip credit for the existing retail use eliminated in Phase I, no mitigation measures are required for the development of the North Building in Phase I. Occupancy of the South Building in Phase II requires improvements to three nearby intersections. With the proposed mitigation, the traffic impact of the proposed development is mitigated. A copy of the STS CTR Transportation Report is attached as **Attachment No. 7 (previously submitted and amended)**.

Plans showing the on-site vehicular and pedestrian circulation system during each phase of construction have been submitted.

A truck turning template exhibit demonstrating that loading, trash, emergency vehicle, and truck access can be accommodated has been submitted.

The existing Temporary Public Access Easement created by Plat 20377 will need to be abandoned and released by the Mayor and Council and replaced by a temporary public access easement created along the proposed private alley way subject to the same condition that the temporary public access easement terminates upon abandonment of the Thompson Avenue right-of-way. The abandonment of Thompson Avenue is not proposed in this Application. See Plat 20377 attached as **Attachment No. 8 (submitted December 2011).**

#### **Stormwater Management:**

The Property is subject to a recorded Storm Water Management Easement and Storm Water Management Inspection and Maintenance Agreement dated March 21, 1997 recorded in Liber 14769 at folio 059. The existing Storm Water Management Easement will need to be abandoned and released by the Mayor and Council and replaced with a new Storm Water Management Easement consistent with the approved Storm Water Management Plan and permits for the proposed redevelopment. A copy of the existing SWM Easement is attached as **Attachment No. 9 (submitted December 2011).**

A storm water management concept plan has been approved by letter dated December 19, 2011. See **Attachment No. 10 (submitted December 2011).** A Storm Water Management Plan package has been submitted with the Application.

#### **Adequate Public Facilities:**

The Project must satisfy the Adequate Public Facilities Standards found in Rockville City Code Chapter 25.20.01.

**Transportation.** See discussion above. The CTR Report concludes that the Project will meet the standards for Transportation or mitigate impacts as required by the Code.

**Schools.** The Project lies within the Walter Johnson School Cluster and students are currently assigned to Walter Johnson High School, Tilden Middle School and Farmland Elementary School. The students generated by the Project do not cause projected enrollments to exceed **110%** program capacity at any of the assigned schools. A request has been submitted to MCPS for confirmation of that conclusion.

The Project at 658 dwelling units is projected to generate a total of 76 K-12 students (**658** x 0.114 factor for hi-/mid-rise with structured parking). The Project is projected to generate students for each level as follows:

Walter Johnson HS	22 students	( <b>658</b> x 0.033 factor)
Tilden Middle	26 students	( <b>658</b> x 0.039 factor)

The City of Rockville School Test published June 30, 2011 by MCPS indicates that sufficient capacity is available for the Project generated students based on the data for the “% projected enrollment/ program capacity” or “Projected Utilization” for test year 2013-2014. A copy of the City of Rockville School Test is attached as **Attachment No. 11 (submitted December 2011)**. The Projected Utilization for test year 2013-2014 is shown below as well as the space available at the City’s 110% program capacity test:

Walter Johnson HS	2272/2274 = 100%	110% = 2501	<b>229</b> seats
Tilden Middle	720/984 = 73%	110% = 1082	<b>362</b> seats
Farmland Elem	643/728 = 88%	110% = 800	<b>157</b> seats

**Fire & Emergency Service Protection.** The City’s APFS adopted by Resolution 2-11 on February 28, 2011 indicates that full response is sufficient City-wide for availability of engines from at least 3 separate stations to arrive at the location within 10 minutes and that with the operation of the new fire station at the Fire Training Academy, all areas of Rockville are within an 8 minute response time. A copy of Appendix D to the APFS is attached as **Attachment No. 12 (submitted December 2011)**.

The closest fire station is No. 23 located at 121 Rollins Avenue, just over 1000 feet from the Property.

**A Fire access plan has been submitted and reviewed by City Inspection Services staff.**

**Water/Sewer.** The Property is currently served by City of Rockville public water and sewer. A Utility Plan is included in the Application. A copy of WSSC 1 form is attached as **Attachment No. 13 (submitted December 2011)**.

**The Applicant is a party to a private Memorandum of Understanding with other owners of development projects along Chapman Avenue, including the 1800 Rockville Pike project and the 1592 Rockville Pike project, to cooperatively construct and jointly fund improvements to the public sewer system impacted by the projects. The Applicant will comply with its Water and Sewer Authorization letter.**

**Pursuant to the MOU, the Applicant has agreed to include the following condition in its development approval if acceptable to the City:**

**Assuming Twinbrook Partners (1592 Rockville Pike), 1900 Chapman Project Owner LLC and JBG/Twinbrook Square LLC (1800 Rockville Pike) have entered into a Private Utility Club Agreement prior to issuance of a building permit for their respective approvals, applicant shall demonstrate to the City that it has satisfied its obligations under the Private Utility Club Agreement, which demonstration shall include i) issuance of permits and posting of bonding for improvements to be constructed by the Applicant pursuant to the Private Utility Club Agreement, or ii) payment of monetary obligations to the appropriate**

**constructing party pursuant to the Private Utility Club Agreement. The general terms to be incorporated into the Private Utility Club Agreement are reflected on the Private Utility Club MOU, attached as Exhibit “ ”. If a Private Utility Club Agreement is not executed, applicant shall comply with the conditions of their respective Water and Sewer Authorization letters.**

The buildings will be sprinklered. Fire flow test results dated October 27, 2011 are attached as **Attachment No. 14 (submitted December 2011).**

A variable width public utility easement is recorded along Chapman Avenue per Plat 20377. **Supplemental public utility easement is proposed along Chapman Avenue.** No public utility easement is required along the southern boundary line which abuts fee simple land owned by Montgomery County MD and not Twinbrook Parkway right-of-way.

### **Landscaping, Screening & Lighting Manual**

The Application is designed to meet the requirements of the City Landscaping, Screening & Lighting Manual. The Property will meet the minimum 15% tree canopy.

### **Transportation Noise**

A Noise Analysis was prepared by Phoenix Noise & Vibration, LLC dated November 30, 2011 on the noise impact from Twinbrook Parkway and the WMATA/CSX railway and the proposed mixed use development. See **Attachment No. 15 (submitted December 2011).** Montgomery County has a guideline on managing transportation noise for interior dwelling units and outdoor activity levels based on recommended dBA and dBA Ldn levels. Ldn is an adjusted day-night average noise level which weights night-time noise by adding 10 dBA to a noise source due to the irritation of night-time noise.

Preliminary analysis indicates transportation noise levels measured at certain of the residential building elevations and certain parts of the site for outdoor activities between the buildings and the railway tracks will exceed the recommended guideline.

Interior noise levels can be maintained at the maximum 45 dBA Ldn for residential units through modifications to standard building construction. Specific modifications to impacted units will be established during a Phase II Noise Analysis of the architectural plans and building specifications before building permit.

The site area for outdoor activities between the buildings and the railway is proposed as a pedestrian trail that residents and guests will move through. It is not proposed for long-term stationary activities. Part of the pedestrian trail along the south and east perimeter will be impacted by intermittent roadway/railway noise which is measured at 68 dBA during the day where the recommended guideline is 65 dBA. A sound wall, up to 21 feet in height, along the property line adjacent to the railway line

and Twinbrook Parkway for noise attenuation for the outdoor area would change the character of the outdoor area and provide ample surfaces graffiti. For these reasons, Applicant is proposing a waiver to section 2.2.1 of the The Staff Guidelines for the Consideration of Transportation Noise Impacts In Land Use Planning and Development on the grounds that “exterior noise attenuation is not feasible”. Aesthetics and economics are provided in section 2.2.2 (2) of the guidelines as acceptable justification for a waiver.

Landscaping rather than the sound wall is proposed. To limit noise impacts on users in the outdoor area at night, Applicant proposes to close the outdoor pedestrian trail at night.

Interior outdoor courtyards will not be impacted by the transportation noise and will meet guidelines.

### **Electrical Transformers**

The electrical transformers are proposed to be located above grade and located near the rear of the Property behind the North Building. The location is 8-10 feet below the grade of Chapman Avenue and screened from Chapman Avenue by the North Building, screened from Thompson Avenue by landscaping, and is approximately 30 feet below the grade of Twinbrook Parkway and screened from the Twinbrook right of way by the South Building and over 385 feet of intervening trees and landscaping.

**In addition, a brick and metal enclosure is proposed that has been architecturally designed and incorporates planters as a design feature on the enclosure. Additional landscaping buffers the transformer enclosures from the private drive and pedestrian paths along the rear of the property.**

The practical difficulty related to undergrounding the transformers relates to the fact that existing easements along the CSX tracks force the transformers to be located in an area of a MDE Response Action Plan arising out of the site’s early use as an industrial facility. Undergrounding in this location is not appropriate.

The Application includes a request for a variance for above ground transformers.

### **Forest Conservation**

A Natural Resource Inventory Forest Stand Delineation Plan no. FTP2011-00025 was approved for the Property dated October 13, 2011.

A Preliminary Forest Conservation Plan for the area of disturbance conforming to the Landscape plan has been submitted to the City. Final Forest Conservation Plan approval will be obtained prior to issuance of Public Works permits to implement the site plan.

The existing Tree Conservation Easement and Declaration of Covenants in Liber 14769 at folio 065 will need to be abandoned and released and/or modified and replaced

with a Tree Conservation Easement and Declaration of Covenants conforming to the new Forest Conservation Plan. A copy of the existing Easement is attached as **Attachment No. 16 (submitted December 2011).**

#### **Green Building Regulations:**

The Project new construction is designed to comply with the Green Building Regulations in Rockville Code Chapter 5 Building & Building Regulations, Art. XIV.

A preliminary LEED checklist indicates that the Project will meet the requirements of the City Green Building Regulations with regard to points attained in specific LEED categories. The Project is striving to exceed the City Green Building Regulations and plans to attain points equivalent to LEED- Silver. A copy of the LEED checklist is attached as **Attachment No. 17 (submitted December 2011).**

#### **Art in Private Development:**

The two new buildings proposed under this Application will comply with Chapter 4 of the City Code (Publicly Accessible Art in Private Development) ordinance requirements.

The Applicant elects to install publicly accessible visual art on the Project site.

#### **Historic Preservation**

The Application includes the demolition of the existing retail store. As part of the NRI FSD review Planning staff reviewed the existing site improvements and determined that the existing improvements are not historically significant. See **Attachment No. 18 (submitted December 2011).**